

MEMO ENDORSED

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The application is granted.
 denied.
[Signature]

Nelson S. Roman, U.S.D.J.
Dated: Jan. 20, 2015
White Plains, New York 10601

18 January 2015

Stephen A. Katz (MA, NY & PA)

Honorable Nelson S. Roman
United States District Judge
United States Courthouse
300 Quarropas Street
White Plains, NY 10601

Re: Hutter v. Countrywide Bank, N.A., Civil Action no. 09-CIV-10092 (NSR) (LMS)

Dear Judge Roman:

As counsel for the plaintiff Nance M. Hutter, I am writing to request a three-week extension of the deadline, until 11 February 2015, for Hutter to serve her opposition to defendant Countrywide Bank's motion for summary judgment.

1. **The original deadline:** Currently Hutter must serve her opposition to Countrywide's summary judgment motion by 22 January 2015. I ask that the deadline be extended to 11 February 2015 so that Countrywide will receive Hutter's opposition by 12-FEB-2015. Countrywide's reply will then be due on 26 February 2015. Hutter agrees not to seek any more adjournments of her deadline for opposing Countrywide's summary judgment motion, but she will consent to any reasonable request of Countrywide's to extend the bank's 26-FEB-2015 reply deadline.

2.-3. **The number of previous requests for adjournment or extension, and whether they were granted:**

Hutter:
Nine previous requests

17-MAY-2010, docket no. 18 Granted
31-MAR-2011, docket no. 35 Granted
06-MAY-2011, docket no. 38 Granted
15-NOV-2011, docket no. 47 Granted
19-AUG-2012, docket no. 70 Denied
08-NOV-2013, docket no. 98 Denied
16-JAN-2014, docket no. 105 Granted
28-JAN-2014, docket no. 107 Granted
23-MAY-2014, docket no. 146 Granted

Countrywide Bank, N.A.:
Six previous requests

23-DEC-2009, docket no. 3 Granted
05-FEB-2010, docket no. 6 Granted
29-JUN-2010, docket no. 29 Granted
04-FEB-2011, docket no. 33 Granted
03-JUN-2011, docket no. 40 Granted
13-MAY-2013, docket no. 85 Granted

Evolution Mortgage Inc.:
Two previous requests

Watermark Capital, Inc.:
Three previous requests

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16-DEC-2011, docket no. 52 Granted	13-DEC-2011, docket no. 51 Granted
	13-MAY-2013, docket no. 86 Granted
16-JAN-2015, docket no. 171 Granted	16-JAN-2015, docket no. 172 Granted

4. The reason for the instant request: Whether by coincidence or otherwise, the opposing parties in many of my cases have all recently sought summary judgment or dismissal at the same time (or, in another Hutter matter, I must perfect an appeal), so that I must file opposition papers according to this schedule:

Case	Katz's Opposition to Summary Judgment or Dismissal Due
<i>U.S. Bank, N.A. v. Hayrioglu</i> , Nassau County Sup. Ct. no. 14897-2010	05-JAN-2015
<i>Merino v. U.S. Bank Nat'l Assoc.</i> , Queens Sup. Ct. no. 19476-2013	12-JAN-2015
<i>Merino v. HSBC Bank USA</i> , Sup. Ct. Queens County no. 18463-2013	22-JAN-2015
<i>PHH Mortgage Corporation v. Hernandez</i> , Nassau Sup. Ct. no. 011964-2011	24-JAN-2015
<i>Federal National Mortgage Association v. Cardenas</i> , Queens Sup. Ct. no. 706539-2014	27-JAN-2015
<i>Hutter v. Citibank, N.A.</i> , Second Department Docket no. 2014-06732	29-JAN-2015 (deadline to perfect appeal)
<i>Deutsche Bank National Trust Company v. Dostaly</i> , Kings Sup. Ct. no. 26418-2007	03-FEB-2015

Those cases' filing deadlines' coming just when Hutter's opposition to Countrywide's summary-judgment motion is due on 22-JAN-2015, have greatly reduced my available time for combating Countrywide's motion. That is why I seek an adjournment.

5.-6. Whether the adversaries consent: All three defendants consent to Hutter's adjournment.

Thank you for considering this request.

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Sincerely yours,


Stephen A. Katz

SAK
cc: To all counsel by fax
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